



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/727,132

12/02/2003

Anthony Vesci

AM-8811

4735

60300

7590

08/06/2008

LAW OFFICES OF CHARLES GUENZER

ATTN: APPLIED MATERIALS, INC.

2211 PARK BOULEVARD

P.O. BOX 60729

PALO ALTO, CA 94306

EXAMINER

MUSLEH, MOHAMAD A

ART UNIT

PAPER NUMBER

2832

MAIL DATE

DELIVERY MODE

08/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The timely submission under 37 CFR 1.129(a) filed on **04/28/2008** is not fully responsive to the prior Office action because :

a. The applicant is required under **35 U.S.C. 121** to elect **a single disclosed species** for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

b. In response to the applicant arguments that "...applicant elects **species 1 figures 4-7**. Applicants believe that **claims 1-5, 7-12**, and **14-36** encompass the elected species..." **[page 11]**. This is found not persuasive because examiner believes that **species 1 figures 4-7** read on **claims 1-5, 8-12** and **24-28**. **Claim 7** includes features **[such as a second annular lip]** that is found in **fig. 11[specie 3]**, and claims **14-23** and **29-32** include features **[such as a third wall...fifth diameter]** that is found in **Fig. 13 [specie 4]**. Therefore, the examiner believes that **claims 7, 14-23** and **29-32** should be withdrawn.

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee

set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mohamad A. Musleh** whose telephone number is **(571) 272-9086**. The examiner can normally be reached on M-F (7:30-5:00 Est. Time) 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Elvin G. Enad** can be reached on **(571) 272-1990**. The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (**PAIR**) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (**EBC**) at **866-217-9197 (toll-free)**. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

**/Mohamad A Musleh/
Examiner, Art Unit 2832**

**/Elvin G Enad/
Supervisory Patent Examiner, Art
Unit 2832**